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4 **BEFORE THE PUBLIC DISCLOSURE COMMISSION**
5 **OF THE STATE OF WASHINGTON**

6 IN RE COMPLIANCE
7 WITH RCW 42.17

) PDC CASE NO: #02-285

8 CITIZENS FOR SUPPORT OF
9 YELM SCHOOLS

) **FINAL ORDER IMPOSING FINE**

10 _____ Respondent.)

11 **INTRODUCTION**

12 The Washington State Public Disclosure Commission (Commission) conducted an
13 enforcement hearing under chapters 34.05 and 42.17 RCW and chapter 390-37 WAC on
14 May 21, 2002 with respect to the above-encaptioned matter. The Commission held the
15 hearing at Evergreen Plaza Building, Room 206, 711 Capitol Way South, in Olympia,
16 Washington. The Respondent appeared at the hearing through its Co-Chair, Glenn Blando.
17 The Staff appeared through Phil Stutzman, Director of Compliance. The Commission held
18 the hearing to determine whether the Respondent violated 1) RCW 42.17.040 by failing to
19 file a new committee registration statement within two weeks of the start of the committee's
20 campaigns to support the Yelm School District's ballot propositions for the February 3,
21 1998, April 28, 1998, February 1, 2000, April 25, 2000 and February 5, 2002 elections; 2)
22 RCW 42.17.080 by denying interested persons the ability to review campaign records
23 during the eight days preceding each election; and 3) RCW 42.17.080 and 42.17.090 on
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multiple occasions by failing to timely file reports of contributions and expenditures during the Yelm School District's ballot proposition elections held in 1998, 2000 and 2002.

During the hearing, the Staff presented, for the Commission's consideration, the Report of Investigation dated April 30, 2002, the Notice of Administrative Charges issued April 30, 2002, and the parties' Stipulation of Facts, Violations and Penalty dated May 21, 2002. Specifically, the parties agreed that the Report of Investigation and Notice of Administrative Charges contain accurate statements of fact. The Respondent stipulated that the Respondent committed multiple violations of RCW 42.17.040, 42.17.080 and 42.17.090. The Respondent further stipulated that the Respondent is willing to accept an assessed total civil penalty of \$5,000.00 with \$2,500.00 of this penalty suspended on the condition that the Respondent commits no violations of RCW 42.17 within four years from the date of the final order issued by the Commission. The parties' Stipulation is attached to this Order and is incorporated herein by reference.

ORDER

Based on the record submitted in this matter, the Commission orders as follows:

1. That the Stipulation of Facts, Violations and Penalty is accepted;
2. That the Respondent committed multiple violations of RCW 42.17.040, 42.17.080, and 42.17.090;
3. That a total civil penalty of \$5,000.00 is assessed against the Respondent. \$2,500.00 is suspended on the condition the Respondent commits no further violations of RCW 42.17 for a period of four years from the date of this order; and
4. That the Respondent is to pay one-half of the non-suspended portion of the assessed penalty (\$1,250.00) within thirty days of the date of this Order and the remaining non-

1 suspended portion of the penalty (\$1,250.00) is to be paid no later than December 31,
2 2002.

3 **RECONSIDERATION**

4 Any party may ask the Commission to reconsider this final order. Parties must
5 place their requests for reconsideration in writing, include the specific grounds or reasons
6 for the request, and deliver the request to the Public Disclosure Commission Office within
7 TEN (10) days of the date that the Commission serves this order upon the party. Pursuant
8 to RCW 34.05.470(3), the Public Disclosure Commission is deemed to have denied the
9 petition for reconsideration if, within twenty (20) days from the date the petition is filed, the
10 Commission does not either dispose of the petition or serve the parties with written notice
11 specifying the date by which it will act on the petition. Pursuant to RCW 34.05.470(5), the
12 Respondent is not required to ask the Public Disclosure Commission to reconsider the final
13 order before seeking judicial review by a superior court.
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15 **APPEAL RIGHTS**

16 Pursuant to RCW 42.17.395(5), a final order issued by the Public Disclosure
17 Commission is subject to judicial review under the Administrative Procedures Act, chapter
18 34.05 RCW. Pursuant to RCW 34.05.542(2), a petition for judicial review must be filed
19 with the superior court in Thurston County or the petitioner's county of residence or
20 principal place of business. The petition for judicial review must be served on the Public
21 Disclosure Commission and any other parties within 30 days of the date that the Public
22 Disclosure Commission serves this final order on the parties.
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24 If reconsideration is properly sought, the petition for judicial review must be served
25 on the Public Disclosure Commission and any other parties within thirty (30) days after the
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1 Commission acts on the petition for reconsideration. The Commission will seek to enforce
2 this final order in superior court under RCW 42.17.395-397, and recover legal costs and
3 attorney's fees, if the penalty remains unpaid and no petition for judicial review has been
4 filed under chapter 34.05 RCW. This action will be taken without further order by the
5 Commission.
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7 Should the terms of the suspension not be followed, the respondent is legally
8 obligated to pay the entire penalty pursuant to RCW 42.17.395 unless an appeal is made
9 pursuant to RCW 42.17.395 as referenced above.

10 DATED THIS 30th day of May, 2002.

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12 FOR THE COMMISSION:

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14 _____/s_____

15 VICKI RIPPIE, Executive Director
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